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Prevalence of Force by Police in Rhode Island Jurisdictions

Implications for Use-of-Force Training and Reporting

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This article examines the prevalence and severity of police use of force in Rhode Island by reviewing arrest reports from a sample of police departments. The article reports results from 3,300 adult arrests made by officers from 16 police departments that serviced rural, suburban, or urban communities. Force continua measured various types of force by police. Results show that police rarely used levels of force above restraints when arresting suspects. Rhode Island officers used physical force at a lower rate than did officers from other previous surveyed police jurisdictions. Rhode Island officers' reactions of force were mostly commensurate to suspects' actions of resistance during arrests. The authors give special attention to discussing implications that this study's results have for use-of-force training and reporting.

Keywords: *police use of force; Rhode Island police; law enforcement; deadly force; police brutality; arrests; training*

Under statute, police have the lawful authority to use force to defend them, to defend others, to prevent criminal activity, and to enforce laws. Conceptually speaking, force is a coercive action to make somebody do something. In law, police have the discretionary power to use different degrees of force against citizens who choose to commit crimes (Brooks, 2005). Forceful responses can range from mere police presence to uses of weapons. The authority to use force makes the police one of the most powerful professions. If left unchecked, such power might lead to unreasonable uses of force.

In the aftermath of a friendly firearm accident (January 2000) that had involved Rhode Island police officers, community stakeholders criticized Rhode Island police agencies for

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their lack of summary reports on uses of force. The Rhode Island Commission on Race and Community Relations (State of Rhode Island, 2001) reported

> that the uses of all kinds of force by police are fraught with both emotion and perceptions of a lack of accountability by our communities. Without more openness from police agencies about their uses of force, it is difficult to assuage fears and respond to concerns from the community. (p. 5)

The commission recommended that police agencies generate summary reports about their uses of force and that they make those reports available to the public. Unfortunately, the public safety reporting software that Rhode Island police agencies used did not generate them. Inquiries into uses of force by Rhode Island police officers would require reviewing police reports and recording and tabulating information from them.

Given these facts, this article examines the prevalence and the severity of police use of force in Rhode Island by reviewing arrest reports from a sample of police departments. It begins with an overview of prior relevant literature that offers insight into how police in other jurisdictions use force against suspects. This provides a reference point to compare uses of force by Rhode Island police officers. We follow with a discussion about how police and researchers typically measure uses of force to provide a good reason in practice for our method of measurement. After that, we show how police translate their use-of-force data into training practices for a greater understanding of what results from this study will mean to Rhode Island police departments. Next, there is a discussion of our method. Finally, for police and public transparency, we review the extent to which Rhode Island police officers use force and then particularly discuss the implications our data have for training outcomes and for policy changes in Rhode Island.

Prior Research

Studies of the prevalence of police force have measured a variety of sorts of force, from the use of mere police presence to the use of police weaponry. What researchers know today about police use of force has come from some recurring sampling strategies such as making independent field observations of police–citizen interactions (e.g., Bayley & Garofalo, 1989; Klinger, 1995; Terrill & Mastrofski, 2002). Field recordings typically involve trained observers that ride along with patrol officers. In Metro Dade County (FL), for example, Klinger (1995) reported that officers used no force in 59.8% of 241 observed police–citizen contacts. Officers used voice commands in 39.4% of contacts involving some type of forceful response against citizens. The remaining number of cases involved physical force where officers used firm grips (17.0%), pain holds (7.0%), choke holds (2.1%), punches or kicks (0.8%), or baton strikes (1.6%). A total of 39 force encounters involved the police using force combinations against citizens, which previous research did not examine. Most force combinations ($n = 22$) involved police grabbing and using voice commands. Only twice did police use all six types of force. Although the study yielded some important patterns of police force combinations, it focused on police force against citizens in only a single jurisdiction.

A second sampling strategy in the literature has involved surveying the public about their contacts with the police (e.g., Durose, Schmitt, & Langan, 2005; Langan, Greenfeld, Smith, Durose, & Levin, 2001). For instance, in 2002, the Bureau of Justice Statistics surveyed U.S. household residents 16 or older about face-to-face contacts that residents had with police (Durose et al., 2005). Findings showed that about 1.5% of the 45.3 million contacts between the police and the public involved the use or the threatened use of police force. Police pushed or grabbed (41.8%), kicked or hit (8.2%), pointed a gun (18.9%), or used or threatened to use other types of force (56.8%). Some residents reported more than one type of force used or threatened by police. When asked about their conduct during force incidents, roughly one in four residents admitted that they engaged in at least one type of behavior that could have provoked police to use or to threaten to use force against them. Provocative behaviors were as follows: arguing with police, cursing at them, insulting them, or making verbal threats against them (24.2%); disobeying or interfering with police (6.0%); trying to get away from police (3.0%); pushing, grabbing, or hitting police (0.5%); or resisting arrest, handcuffs, or personal searches by police (5.8%). Residents said that they used other types of physical provoking behaviors against police in 0.5% of incidents. Although it was possible that this targeted victim survey documented some unreported police behaviors, it was also possible that it documented exaggerated behaviors of the participants.

Third, administering multiagency surveys about the incidence and prevalence of force has been an attractive sampling option for some researchers (e.g., International Association of Chiefs of Police [IACP], 2001; Pate & Fridell, 1993). For example, the IACP (2001) Police Use of Force in America project surveyed state, county, and local law enforcement departments. For 1999, 21 police agencies (mostly municipal ones) reported that 1,856,931 calls for service brought them into contact with citizens. Of those calls, police used some standard continuum level of force against citizens at a rate of 3.61 times per 10,000 calls for service. The highest levels that police used in single incidents were physical (56.8%), chemical (34.0%), electronic (0.5%), impact (4.8%), or firearm (3.9%), whereas the highest levels that citizens used were physical (85.5%), chemical (12.1%), impact (1.4%), or firearm (0.9%). The continuum levels in this study did not consider low-level uses of force such as verbal behaviors by the participants. However, its major strength was a national survey that captured variations in force across different police agency types.

Using use-of-force report forms has been a fourth sampling strategy that other researchers have found useful (e.g., Croft, 1985; McLaughlin, 1992). Not all police departments, however, require the filing of use-of-force report forms. But in Savannah (GA), McLaughlin (1992) found that the police department required its officers not only to complete separate use-of-force report forms whenever they used forms of physical force to make arrests but also to complete them whenever suspects used forms of physical force to resist arrests. Savannah officers completed 168 use-of-force report forms, on which they reported using soft empty-hand control such as a grab (149 reports), hard empty-hand control such as a kick (32 reports), intermediate weapons such as a baton strike (18 reports), and lethal force such as a firearm (5 reports). Suspects used 38 different combinations of force against officers. The most frequently reported combination, which occurred in 7.7% of reports, involved psychological intimidation (e.g., staring), verbal threats, passive resistance (e.g., going limp), defensive resistance (e.g., fleeing), and active aggression (e.g., punching). Sometimes suspects used single forms of physical force such as active aggression (18 reports) or defensive

resistance (27 reports). Aggravated active aggression, which involved a suspect using a firearm in 18.4% of reports, was the most severe form of physical force by suspects. Variations in police force combinations to handle suspect resistance were unreported. In fact, there was a good chance that the use-of-force report forms underestimated low-level uses of force such as verbal commands by officers or verbal threats by suspects. Despite these limitations of the study, it did measure the severity of force and classified the participants' behaviors into progressively increasing categories (or a continuum), which reflected use-of-force training practices and policies of the Savannah Police Department.

Last, sampling police arrests has become a popular data-collection method (e.g., Garner, Maxwell, & Heraux, 2002; Garner, Schade, Hepburn, & Buchanan, 1995). Garner et al. (2002), for example, reported that police in six jurisdictions used physical force (defined as use of severe restraints, use of any weaponless tactic, or use of any weapon) in 17.1% of 7,512 adult custody arrests. The single highest levels of force used by police at arrests were verbal threats (9.5%), restraints (2.3%), weaponless tactics (77.0%), and weapon tactics (11.1%), whereas levels of suspect force were threats (18.0%), weaponless tactics (5.5%), and weapons (3.9%). Unlike prior studies that used single or two jurisdictions, a major strength of this study was that it collected data from six police jurisdictions from different geographical regions to study the prevalence of police use of force, though findings might have been different had the researchers used data from field observations, use-of-force report forms, or other measures of police force.

Individually and collectively, these sampling strategies and the studies that use them have particular strengths for certain purposes but also have potential limitations. For instance, field observations provide independent observations of trained observers who directly record the dynamics of police–citizen encounters. However, the presence of observers might temper some officers' uses of force against citizens, and thus results would reflect a restricted range of behaviors used and would generally underestimate the use of force. Public contact surveys impart information on citizens' experiences with the police. However, some citizens could exaggerate police behaviors, which would inflate the extent to which police use force against them. Performing multiagency surveys provides many interactions between police and citizens across jurisdictions. Yet police concerns about the anonymity or the confidentiality of the results might lead to lower participation, which would attenuate estimates of the extent to which police use force. Use-of-force report forms and arrest reports are more structured data sources of incidents where police use force, except these sources of data echo police self-reports, in which some officers might report their behavior in the best possible light to avoid civil or criminal litigation.

In the final analysis, results from studies that use these sampling strategies to study police force generally reflect the facts that a small percentage of police–suspect contacts involve police using physical force, that police mostly employ bodily force tactics such as grabbing, and that police rarely use weaponry. In this study, we intend to build on the strengths of sampling police arrest reports (e.g., Garner et al., 1995; Garner et al., 2002). Arrest reports have utility because they represent police–citizen interactions that have the greatest potential for variations of force by and force against police that are available for measurement. Unlike prior studies, we plan to sample arrest data from many jurisdictions that represent different police work settings in a single geographical region, Rhode Island, so that we can make some general statements about observed use of force patterns.

Measuring Force

Although there are potential limitations at the sampling stage, researchers have made improvements at the measurement stage. Today, it is common to find that police scholars, agencies, and trainers are using a force continuum to measure, to model, and to evaluate types of force by police in response to types of resistance by suspects (Ederheimer & Fridell, 2005; Terrill, 2005). The continuum captures important variations in force by identifying types of police behaviors and grouping and ordering them according to their relative degree of severity or potential injury to suspects. It is a measurement improvement from the simple dichotomy measure between no physical force and physical force, which groups very dissimilar behaviors. What is more, police agencies usually include a force continuum in their department policies and training practices because built into the continuum is a guiding principle of proportionality: Is the officer's reaction of force in the correct relationship to the suspect's action of resistance? In essence, proportionality intends to express the Court's standard that police use "reasonable" force, which requires police to balance force they use against force they need to use in a particular situation (*Graham v. Connor,* 1989). A suspect who disobeys an officer's verbal commands during an arrest demonstrates a less severe form of active resistance than a suspect who fires a handgun at an officer. Both behaviors require some degree of police force to handle them and to complete the arrest, but at obviously different force levels.

Consistent with using the force continuum, Garner et al. (1995) used force continua (one for police and one suspects) that reflected the policy of the Phoenix (AZ) Police Department. The highest levels of force used by police in a single arrest encounter ($N = 1{,}585$ adult custody arrests) were presence (18.4% of arrests), verbal commands (3.7% of arrests), restraints (57.9% of arrests), chemical agents (0.01% of arrests), tactics and weapons (16.5% of arrests), and firearms (3.4% of arrests). The highest corresponding levels of resistance used by suspects were psychological intimidation (6.6% of arrests), verbal noncompliance (5.8% of arrests), passive resistance (4.7% of arrests), defensive resistance (12.7% of arrests), active aggression (7.9% of arrests), and firearms (0.7% of arrest). Armed with information about how police and suspects used force against each other, the Phoenix Police Department could make informed decisions about needed use-of-force training.

Translating Use-of-Force Data Into Training

How does a police department actually come to a decision on what type of use-of-force training to provide? What police stakeholders know with certainty is that a police department should give its officers use-of-force training in tasks that officers are likely to perform on the job (*Canton v. Harris,* 1989). That use-of-force training should include officers making choices on using varying degrees of force (*Allen v. Muskogee,* 1998) and should include officers facing simulated work confrontations (*Popow v. City of Margate,* 1979). Use-of-force training should be ongoing because use-of-force tactics are perishable skill memories that can decay over time, that can deteriorate without practice, and that can become less memorable without recall in work conditions (e.g., Arthur, Bennett, Stanush, & McNelly, 1998; Walker, Brakefield, Hobson, & Stickgold, 2003; Walker, Brakefield, Morgan, Hobson, &

Stickgold, 2002; Walker, Brakefield, Seidman, et al., 2003). To illustrate, the Garner et al. (1995) findings provided evidence of particular force situations that officers were likely to face. The Phoenix Police Department had armed its officers with weapons and tactics to handle police–suspect encounters that required force. Use-of-force data should have signaled the Phoenix Police Department to respond with training. If the department had failed to give use-of-force training, officers would have been more likely to choose the wrong force option because, like common people officers would have been less likely to know the constitutional limitations on police force or less likely to know the right force options without training (*Walker v. City of New York,* 1992). In fact, community stakeholders could have considered the department's failure to train to be a "deliberate indifference" not only to the constitutional rights of suspects to be free from unreasonable uses of police force but also to the needs of officers to receive use-of-force training (*Canton v. Harris,* 1989).

In short, a police department may be liable for not giving its officers enough use-of-force training or for not giving its officers adequate use-of-force training. Use-of-force data can help the police make informed decisions about their training needs. Furthermore, police know with confidence that some degree of force is an inevitable part of policing as long as some citizens are willing to break the law. Those police officers who use force can move up or move down a continuum of more forceful or less forceful responses to control law violators. Today, police departments and researchers typically use a force continuum to measure police use of force. For that reason, we use a force continuum in this article to explore the prevalence and the severity of police use of force during arrest encounters in Rhode Island jurisdictions. Up to now, there have been no empirical studies with this objective. Finally, this article offers a preliminary understanding of the scope of force by police in Rhode Island and contributes to what researchers generally know about police use of force.

Method

Participants and Sample

The state of Rhode Island has 39 municipalities located in rural, suburban, or urban settings. Each municipality has a police agency, except for one in which the state police agency provides services. We stratified the municipalities by four population levels because the Bureau of Justice Statistics used them to report arrest data: Level 1 (less than 10,000), Level 2 (10,000 to 24,999), Level 3 (25,000 to 49,999), and Level 4 (50,000 and more) (Pastore & Maguire, 2002). Nine police agencies provided services to Level 1, 15 police agencies provided services to Level 2, 10 police agencies provided services to Level 3, and 5 police agencies provided services to Level 4, including the state police. Level 1 agencies employed from 4 to 19 sworn officers (Mdn = 10), Level 2 agencies employed from 17 to 46 sworn officers (Mdn = 30), Level 3 agencies employed from 47 to 103 sworn officers (Mdn = 62), and Level 4 agencies employed from 142 to 456 sworn officers (Mdn = 164).

From Rhode Island municipalities, we selected 16 police agencies, which included 4 from each population level so that we represented a range of use-of-force situations from different police work settings in Rhode Island. Two police chiefs from Level 4 agencies that

we had consulted with about the feasibility of the study volunteered their agencies to participate. We asked chiefs from the 14 other police agencies, which we had randomly selected to compose our sampling frame, to participate after we had described the study and its purpose. They all agreed to have their agencies take part in the study.

Because police arrests best represented use-of-force situations in which officers might have actually used varying degrees of force against citizens, we sampled them to achieve representativeness of both the participant population (police officers) and the conditions (use-of-force situations) about which we wanted to make inferences within the limits of sampling error. If officers had used force in incidents of nonarrest, we believed as Garner et al. (1995) that such happenings would have occurred infrequently and would have involved mostly low-level responses. Besides, a large sample of incidents of arrest would have included both low-level and some higher levels of force. Therefore, we selected roughly 10% ($n = 3,300$) of the 32,861 adult arrests made in 2001 by police agencies that composed our population levels. This was enough arrests to achieve adequate power ($\geq .80$) to carry out future multivariate analyses (MacCallum, Browne, & Sugawara, 1996). We defined an arrest as when an officer seized (or took into custody) and processed (or photographed and fingerprinted) a citizen who had violated a law. However, only adult arrest records were available for our investigation because the state operates under the Rhode Island Access to Public Records Act (1979), which allows public access to police records. Participating police agencies supplied arrest records, which included an arrest booking report and an officer's narrative report that described the arrest situation.

In addition, we preserved the relative arrest proportions among the police agencies that participated within the population levels. Accordingly, Level 1 agencies made 3.7% ($n = 122$) of the arrests, Level 2 agencies made 22.7% ($n = 750$) of the arrests, Level 3 agencies made 30.8% ($n = 1,016$) of the arrests, and Level 4 agencies made 42.8% ($n = 1,412$) of the arrests. We also split-sampled arrests equally by surveying cold weather ones beginning January 15, 2001, and by surveying warm weather ones beginning July 15, 2001, so that our sample included warm weather work conditions in which people had a tendency to be aggressive (Anderson, 2001). We recorded successive arrests beginning on each of these dates. Our selection of dates left out potential public holiday influences and kept in police work during the school summer recess.

Force Continua

Force continua measured the levels of various types of force by police and resistance by suspects. Participating police agencies generally used force continua in their use-of-force policies and training practices, but agencies varied in the number of gradations of force used to construct their continua. Therefore, like Garner et al. (2002), we created one continuum for police and one continuum for suspects, which best summarized different departments' continua in our multiagency study. Table 1 presents our summary construction. The first column in the top part of this table gives the possible levels of suspect resistance against the police during arrest situations. The second column gives the different levels of police force available to handle resistance by suspects. For each arrest, we coded the highest level of police force and the highest level of suspect resistance reported.

Table 1
Force Continua: Suspect Resistance, Police Force, and Proportionality Schemes

Resistance-Force Continua	
Levels of Suspect Resistance	Levels of Police Force
1: Compliance	1: Presence
2: Verbal resistance	2: Verbal commands
3: Defensive resistance	3: Restraints
4: Bodily force	4: Pursuit
5: Deadly force	5: Bodily force
	6: Chemical agents
	7: Impact weapon
	8: Deadly force

Resistance-Force Proportionality Schemes			
Suspect Resistance	Less Force	Commensurate Force	More Force
1	—	1, 2, 3	4, 5, 6, 7, 8
2	1	2, 3	4, 5, 6, 7, 8
3	1, 2, 3	4	5, 6, 7, 8
4	1, 2, 3, 4	5	6, 7, 8
5	1, 2, 3, 4, 5, 6, 7	8	—

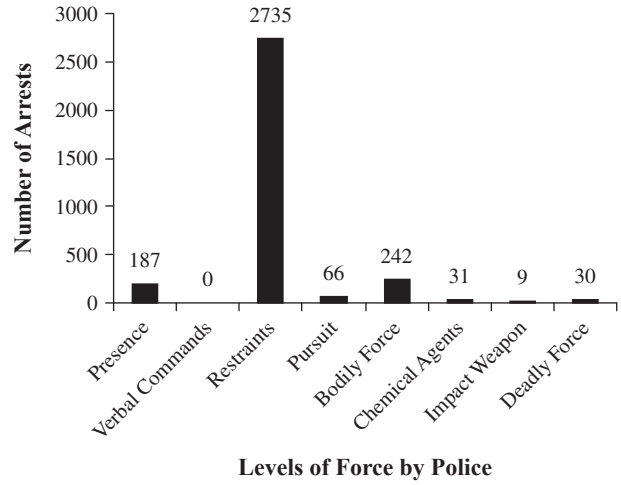
Note: $N = 3{,}300$.

The lower part of Table 1 shows the proportionately of police force to suspect resistance as follows: *less force, commensurate force,* and *more force.* We calculated the frequency of resistance-force proportionality schemes (e.g., Terrill, 2005). For example, we coded resistance-force proportionality as commensurate force if the highest level of police force to arrest a compliant suspect (Level 1), presence (Level 1), verbal commands (Level 2), or restraints (Level 3). And we coded the resistance-force proportionality as more force if the highest level of police force was pursuit (Level 4), bodily force (Level 5), chemical agents (Level 6), impact weapon (Level 7), or deadly force (Level 8). We defined less-force situations as when police used less force than suspects used for resistance. For example, we coded the resistance-force proportionality as less force if the highest level of police force was restraints (Level 3) to arrest a suspect who used bodily force (Level 4).

Force Combinations

We recognized that our force continua measures masked if police had used force combinations to arrest suspects (e.g., bodily force, chemical agents, and restraints) and if suspects had used resistance combinations against police (e.g., verbal resistance, bodily force, and defensive resistance). Therefore, we created SPSS algorithms for force by police and for resistance by suspects to compute continuum levels with assigned behaviors and to calculate the frequency of their combinations. This procedure allowed us to determine whether levels of force or levels of resistance actually occurred in combinations (e.g., Klinger, 1995).

Figure 1
The Single Highest Continuum Levels of Force Used by Police at Arrests



Note: $N = 3{,}300$.

Results

Results show that police used behaviors at all levels of the force continuum. In 2,735 (82.88%) of the surveyed arrests, the highest level of force used by police against suspects was restraints (Level 3). Mere police presence (Level 1) was the highest level of force that police needed to complete 187 arrests (5.67%). These arrests involved suspects turning themselves in at police headquarters, where handcuffing was not a standard procedure for making arrests among most police departments. Maximum force (Level 8) by the police against suspects was a rare event (30 arrests, 0.91%). Figure 1 depicts the single highest levels of force used by police at arrests. Table 2 provides the frequency of measures that composed the police continuum levels.

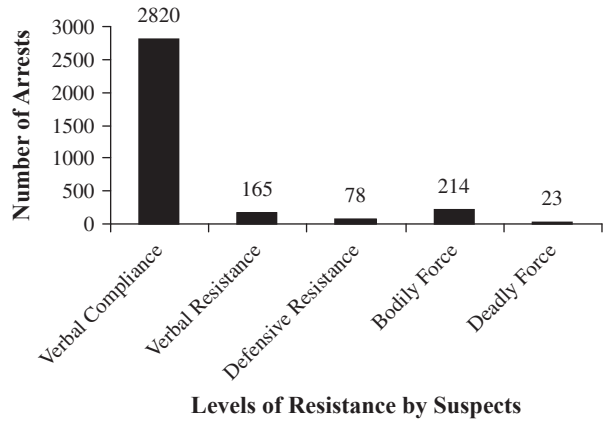
The data in Table 2 reflect the fact that officers generally reported using more than one type of force on the continuum, which sometimes included using levels of force that were higher than restraints to make arrests. In 378 arrests (or 11.45%), police used combinations of force levels that were more forceful than was the standard combination of presence (Level 1) and restraints (Level 3) that police generally used to arrest suspects in 2,682 arrests (81.27%). For example, an officer (or officers) used in one police–suspect encounter all eight levels of force to arrest the suspect. Police used the force combination presence (Level 1), restraints (Level 3), and bodily force (Level 5) more often (132 arrests, 4.00%) than they did other force combinations. Some additional recurring higher-level police force combinations against suspects were as follows: 48 incidents (1.45%) of presence (Level 1), restraints (Level 3), and pursuit (Level 4); 41 incidents (1.24%) of presence (Level 1), verbal commands (Level 2), restraints (Level 3), and

Table 2
Frequency of Police Force Continuum Measures

Measure	Count	%
Presence—Level 1		
Conversational	3,239	98.15
Verbal commands—Level 2		
Verbal commands	201	6.09
Threats to coerce compliance	0	0.00
Restraints—Level 3		
Handcuffing—standing	2,994	90.73
Handcuffing—prone	119	3.61
Handcuffing—kneeling	1	0.03
Pursuit—Level 4		
Foot	106	3.21
Motor vehicle	35	1.06
Bicycle	1	0.03
Bodily force—Level 5		
Grab or hold	234	7.09
Wrestle, standing	116	3.52
Takedown tactic	64	1.94
Wrestle, ground	57	1.73
Arm bar	9	0.27
Pressure point	5	0.15
Hand or arm strike	4	0.12
Kick	2	0.06
Other	42	1.27
Chemical agents—Level 6		
Verbal threat		
Chemical agents	8	0.24
Verbal threat and display		
Chemical agents	3	0.09
Use		
Chemical agents	58	1.76
Impact weapon—Level 7		
Verbal threat		
Canine	1	0.03
Verbal threat and display		
Baton	3	0.09
Use		
Baton	9	0.27
Deadly force—Level 8		
Verbal threat		
Handgun	2	0.06
Verbal threat and display		
Handgun	30	0.91
Use		
Handgun	1	0.03
Other	1	0.03

Note: $N = 3{,}300$. Some officers reported more than one type of force used or threatened at each arrest.

Figure 2
The Single Highest Continuum Levels of Resistance Used by Suspects at Arrests



Note: $N = 3{,}300$.

bodily force (Level 5); and 29 incidents (0.88%) of presence (Level 1), restraints (Level 3), pursuit (Level 4), and bodily force (Level 5).

Yet in most arrests (2,820, 85.45%), suspects were compliant (Level 1), and police did not use force levels greater than restraints to arrest them. When suspects did resist police, they used bodily force (Level 4) more times (214 arrests or 6.48%) than they did other levels of resistance. Deadly force (Level 5), the most severe level of suspect resistance, occurred in 23 (or 0.70%) of the surveyed arrests. Figure 2 shows the single highest levels of resistance that suspects used at arrests. Table 3 gives the frequency of measures that made up the continuum levels of suspect resistance.

The data in Table 3 show that some suspects used more than one type of resistance against police during arrests. Suspects used some resistance combination in 355 arrest situations, or 10.76% of them. Of those resistance combinations, nearly 30.0% (106 arrests) involved suspects resisting verbally (Level 2) and using bodily force (Level 4) against police. Suspects used this mixture of resistive behaviors more often than they did the others. Some other recurring resistance combinations by suspects were as follows: 71 incidents (2.15%) of verbal compliance (Level 1) and defensive resistance (Level 3); 43 incidents (1.30%) of verbal compliance (Level 1) and verbal resistance (Level 2); and 31 incidents (0.94%) of verbal compliance (Level 1), defensive resistance (Level 3), and bodily force (Level 4). Equally important was that some suspects jumped some levels of the continuum to resist police. For example, suspects moved from being verbally compliant (Level 1) to using bodily force (Level 4) in 35 arrests (1.06%). A suspect in one arrest jumped from verbal compliance (Level 1) to deadly force (Level 5). However, suspects never used all five levels of resistance against police.

Although some suspects resisted police, we found that officers' reactions of force were mostly commensurate to suspects' actions of resistance (3,135 arrests, 95.0%).

Table 3
Frequency of Suspect Resistance Continuum Measures

Measure	Count	%
Verbal compliance—Level 1		
Conversational	3,028	91.76
Verbal resistance—Level 2		
Shouting, cursing, argumentative	321	9.73
Threats to do harm	30	0.91
Defensive resistance—Level 3		
Flight by foot	112	3.39
Flight by motor vehicle	38	1.15
Flight by bicycle	1	0.03
Bodily force—Level 4		
Wrestle, standing	120	3.64
Pull away	63	1.91
Push	57	1.73
Wrestle, ground	54	1.64
Flailing	45	1.36
Kick	37	1.12
Hand or arm strike	37	1.12
Lock arms and deaden body weight	18	0.55
Grab or hold	17	0.52
Bite	7	0.21
Other	10	0.30
Deadly force—Level 5		
Verbal threat		
Knife or edged weapon	1	0.03
Canine	1	0.03
Bodily fluids	1	0.03
Verbal threat and display		
Knife or edged weapon	3	0.09
Stick or blunt object	1	0.03
Handgun	1	0.03
Other	2	0.06
Use		
Bodily fluids	7	0.21
Motor vehicle	4	0.12
Knife or edged weapon	1	0.03
Other	7	0.21

Note: $N = 3,300$. Some officers reported that some suspects used or threatened more than one type of force at each arrest.

Sometimes, however, the proportionality of forceful responses by police was less than (31 arrests, 0.94%) or more than (134 arrests, 4.06%) resistive behaviors by suspects (see Table 4). Though police occasionally used more force, police departments did not report that suspects made complaints of alleged excessive force by police in any of the arrest cases that we studied.

Table 4
Suspect Resistance and Police Force Proportionality Schemes

	Resistance-Force Proportionality Schemes					
	Less Force		Commensurate Force		More Force	
Suspect Resistance	*n*	%	*n*	%	*n*	%
1	—	0.00	2,771	83.97	49	1.48
2	1	0.03	135	4.09	29	0.88
3	3	0.09	60	1.82	15	0.45
4	9	0.27	164	4.97	41	1.24
5	18	0.55	5	0.15	—	—
Total	31	0.94	3,135	95.00	134	4.06

Note: $N = 3{,}300$.

Discussion

The objective of this article was to explore the prevalence and the severity of police use of force during arrest encounters in Rhode Island jurisdictions. Sixteen Rhode Island police agencies, which served four different community population levels, participated in this study. We used force continua to measure force by police and resistance by suspects. Let us review this study's findings and discuss its use-of-force training, reporting, and research implications.

Summary Findings

Our findings show some important patterns in the use of force by police. First, though arrest situations involve a high risk of police responses that are more forceful, bodily force, chemical agents, impact weapon, or deadly force (i.e., physical force) use to complete arrests is infrequent. Arrest data from Garner et al. (1995) and Garner and Maxwell (1999) support our data that most police force occurs at the lower end of the force continuum—presence, verbal commands, and restraints (i.e., no physical force)—even in situations that have a greater potential for violence.

Second, when police use physical force against suspects, they usually employ bodily force tactics such as grabbing, holding, or restraining. Previous use-of-force data from field observations (Bayley & Garofalo, 1989; Klinger, 1995), agency surveys (IACP, 2001; Pate & Fridell, 1993), police public contact surveys (Dunrose et al., 2005; Langan et al., 2001), use-of-force report forms (McLaughlin, 1992), and arrest reports (Garner et al., 1995; Garner & Maxwell, 1999) are consistent with our findings. Researchers frequently use the physical force dichotomy to describe the prevalence of force by police across jurisdictions because often police departments construct their force continua differently, and usually physical force is more salient in public discourse (Garner et al., 2002). Our data show that the proportion of arrests involving physical force by Rhode Island police officers is 9.5%, which is noticeably lower than data in Garner et al.'s (2002; also see Garner & Maxwell, 1999) six-jurisdiction survey. In that study, agencies varied in their uses of physical force from 12.7% in Colorado Springs (CO) to 22.9% in St. Petersburg (FL).

Rhode Island officers' use is also markedly lower than that of Phoenix (AZ) officers, who employed physical force in 22.0% of surveyed arrests (Garner et al., 1995). The low rate of force by Rhode Island police officers may be a function of agency size, community demographics, police training, or crime rate. Maybe Rhode Island officers are just more conservative or more judicious than are officers from other police jurisdictions. Also, it is possible that in different communities, suspects use physical force against police at different rates during arrests. For example, suspect resistance varied from 9.5% in Colorado Springs to 13.4% in St. Petersburg (Garner & Maxwell, 2002). When suspects resisted arrest by Rhode Island officers, they used physical force (i.e., defensive resistance, bodily force, and deadly force levels) against police in 9.5% of surveyed arrests. In short, the low rate of physical force use by Rhode Island officers raises questions that require further investigations.

Third, sometimes police see a need to use a combination of forceful responses to handle resistance by suspects at arrest. In these situations, they use presence, bodily force, and restraints more often than they use other force combinations. There are combinations of force by police against suspects that emerged from research in Metro Dade County (FL; Klinger, 1995). It should be no surprise that when suspects are unyielding, officers try to find the right mixture or combination of force to complete the arrest, especially when suspects employ multiple forms of resistance to avoid arrest.

Fourth, police reactions of force are sometimes less severe than are suspects' actions of resistance at arrests. This fact may expose officers to greater harm or injury. Mostly, though, police reactions of force are commensurate to suspects' actions of resistance. Police in Colorado Springs (CO), Charlotte (NC), Dallas (TX), San Diego (CA), San Diego County (CA), and St. Petersburg (FL) used more force than did suspects; on average, the difference in physical force was 4.7% (Garner & Maxwell, 2002). Similarly, there are times when Rhode Island officers use more force.

However, our analyses of less force, commensurate force, and more force do not offer a judgment about the "reasonableness" of occasions when police use more force than do suspects at arrests. Unreasonable force (or excessive force) is a matter in which courts, among other factors, must determine whether an officer's reaction of force is in correct relationship with the suspect's action of resistance. That is, officers must balance the amount of force they use with the amount of force they need to use in a particular situation (*Graham v. Connor,* 1989). Again, what we know from this study is that police agencies had not received complaints of alleged excessive force by police against suspects in any of the arrest cases that we surveyed. This does not dismiss the possibility that uses of excessive force had occurred, and maybe suspects—for example—were reluctant to make complaints because they feared retaliation by the police. Besides, excessive force was possible in nonarrest cases that we did not study. For example, minimal police interference, such as an investigatory stop without reasonable suspicion, can be excessive. Citizens are free to walk and to drive streets without police interference as long as they obey the law.

In addition, what we know is that force by officers in Rhode Island is not sharply different in magnitude or in extent from resistance by suspects. The pattern of police reactions of force to suspects' actions of resistance demonstrates a matching strategy, which at times can put officers in harm's way. For example, commensurate force or force that is equal in amount can keep in progress an arrest condition where a suspect resists (e.g., officer punching vs. suspect

punching). So there is an increase in incident time and in the risk of injury both to the officer and to the suspect. Sometimes active resistance requires a more powerful force to quiet a lesser force. In the end, what is reasonable force (less, commensurate, or more) is a matter in which courts must consider carefully, and only after a complaint, whether the totality of circumstances of any given situation justifies a particular use of force by an officer (*Graham v. Connor,* 1989). Therefore, readers should use caution in making any assertions about the reasonableness of police force in Rhode Island from results of our analyses on resistance–force proportionality schemes. Although it may be true that Rhode Island police officers use reasonable force, it may also be true that some officers use unreasonable force against suspects but that those suspects are unwilling to make complaints.

Besides how police use force in Rhode Island, the data reflect some noteworthy patterns of behavior by their opponents at arrests. First, in arrest situations in which suspects are most likely to resist authority, our data show that suspects are usually cooperative with police. This finding is consistent with previous reports that used arrest data (Garner et al., 1995; Garner et al., 2002). It supports the notion that despite a worldview of danger that police hold about the actions of citizens during law enforcement activities, the actual risk of police confrontation with them is low (Kappeler, Sluder, & Alpert, 2005). Second, when Rhode Island suspects resist arrest, their behaviors frequently involve the use of weaponless attacks. Arrest data from Garner et al. (2002) and Garner et al. (1995) support our data that resistance by suspects in other studies usually involves bodily force actions.

Third, sometimes Rhode Island suspects use more than one type of resistance to avoid police arrest. In the previous literature, McLaughlin (1992) reported that Savannah (GA) suspects also resisted arrest by using different combinations of force against police. The more frequent resistance combination of making verbal threats (Level 2) and using bodily force (Level 4) by Rhode Island suspects is on McLaughlin's top seven list of suspect resistance combinations.

Training Implications

What is obvious in this study is that there is some element of force in police work when citizens choose to violate the law and police must arrest them. In fact, Rhode Island police agencies know with certainty that their officers will use some degree of force to make arrests and to complete other law enforcement activities. Most agencies arm their officers with weaponless (e.g., use of an arm bar or pressure point) and weapon tactics (e.g., use of handcuffs, baton, chemical agent, or firearm) to help them. There is a need to train officers on the proper use of such tactics. A failure to train police in use-of-force tactics that they are likely to use against probable forms of citizen resistance in the work field can amount to a "deliberate indifference" to the constitutional rights of citizens to be free from unreasonable uses by police (*Canton v. Harris,* 1989). Knowing the prevalence of force by and against Rhode Island police can be the basis for making informed training decisions.

Based on data from this study, Rhode Island police agencies can conclude that some suspects will attack their officers to avoid arrest. Suspect resistance can occur at all levels of the continuum. Sometimes suspects will demonstrate several forms of resistance against police in a single arrest encounter. Officers' reactions of force to suspects' actions of resistance can vary. The distribution of force that police employ against suspects can occur at

every level of the police force continuum. Police occasionally apply several weaponless or weapon tactics to complete arrest procedures. Rhode Island police agencies should respond to these summary conclusions with use-of-force training.

The force training should require officers to make judgments that relate to using different degrees of force to control different degrees of resistance by suspects (*Allen v. Muskogee,* 1998). For example, police trainers should consider that officers and citizens sometimes use multiple types of force in single use-of-force encounters, and thus they should give training that requires officers to move up and down the continuum of force. They should present officers with training vignettes that replicate actual use-of-force encounters (*Popow v. City of Margate,* 1979). Another training consideration is that police trainers should provide force tasks that focus not only on the responsibilities of an individual officer but also on the responsibilities of a team of officers.

How often should police train? Data from this study show that force by and against police occurs infrequently. In managing the risk of unreasonable uses of police force, police departments should advocate for ongoing force training and win community support for it. An absence or lack of regular force training can give rise to a federal cause of action under *Canton v. Harris* (1989). Police trainers recognize that use-of-force tactics are perishable skills that deteriorate without practice. Annual refresher (or in-service) training can keep officers sensitive to identifying force situations and to employing effective methods to manage them.

Reporting Implications

Rhode Island police agencies use computer software packages that do not generate summary reports on the uses of force by and against its officers. Generating such reports requires reviewing police records and recording and tabulating information, such as the procedures that we used in this study. Police agencies can add use-of-force reporting modules to existing computer software packages that generate summaries of the prevalence of force by police against citizens. This option, however, is costly.

An inexpensive option is to have officers from different police agencies complete a standard use-of-force report form, separate from their narrative reports. Now when Rhode Island officers use high levels of force against citizens or use levels of force that are not part of typical arrest procedures, their departments usually require them to complete separate use-of-force report forms that generally vary among departments. The forms, however, fall short of requiring officers to report much information (e.g., incident, suspect, and police; see the appendix) that can inform police training practices. We offer the After Incident Report form (AIR; see the appendix).

Statewide use of the AIR form would standardize how Rhode Island police agencies collect use-of-force data and how they report them. Researchers would be able to produce reports that are more useful to the police when agencies collect and report their data in similar ways. One large Rhode Island police department (i.e., greater than 142 sworn officers) has implemented the AIR form, has used its Microsoft Access Database, and has generated descriptive statistics about their uses of force. Its training personnel have said that descriptive data generated from the form have helped them with their police and public discourse about uses of force. The data have also helped them assuage public fears, respond to community concerns, and inform training practices.

The AIR form is a front-and-back, one-page inventory instrument, which has some items derived from Garner and Maxwell (1999). The inventory mostly consists of check boxes that are easy to complete. It asks officers to record particular incident, suspect, and police information. Police personnel can input the data from the form into a Microsoft Access Database that we created for their use. The database tabulates and reports descriptive statistics, which have implications for liability issues and training practices. For example, an officer tries to use an arm bar to control a suspect who is attempting to escape arrest. Following the arrest, he or she fills out the AIR form and marks that the tactic was ineffective. A police trainer can consult with the officer about the incident. If the officer incorrectly used the tactic, the trainer can offer refresher training for correcting and for practicing the skill. If the officer correctly used the tactic, the trainer can examine the training program. The AIR form and its database allow police trainers and administrators to identify officers who are having difficulty managing force situations and to monitor training practices.

Data from the AIR form are available for inferential statistical analyses by researchers. Because the AIR form generates detailed characteristics of police–citizen contacts that evolve into force events, researchers can study what incident information predicts when police use force. Researchers can also investigate whether officers use extralegal factors such as suspect race as determinants of their use of force. Data from the AIR form not only can inform police about their uses of force but also can inform community stakeholders.

Research Implications

This research has some methodological limitations. First, arrest records do not capture force by police and resistance by citizens that occur in nonarrest encounters. However, a careful review of the police literature did not reveal empirical evidence supporting a pervasive use of either behavior in nonarrest encounters. Future research may consider investigating how much force and how much resistance or what types of force and what types of resistance police and citizens use against each other in nonarrest encounters.

Second, force continua express only the single highest level of force by police and the single highest level of resistance by suspects during arrests. Like Garner et al. (1995) noted, the strengths of using continua are that they approximate police policies and training, that they estimate a range of variations in force by police and resistance by suspects, and that they provide a more lucid picture of force than does the physical force dichotomy. But sometimes, as in this article, at the cost of concealing some uses of force in a single arrest, potentially dissimilar behaviors are grouped together, such as either an officer grabbing or an officer kicking a suspect, and the severity between categories is assumed to be of equal distance. Our force continua, then, are better measures of results than they are of the unfolding actions of police and suspects during arrests. We can learn much from future work that should study how police and suspects move up and move down force continua, how many categories are necessary to create continua, and how to operationally define categories to group new weapons such as the taser or to classify new weaponless tactics.

Third, officers self-report arrest encounters. There is a possibility of bias in all self-reports. Even when researchers use self-report surveys and bring a pledge of anonymity or confidentiality, reports are still susceptible to possible bias. We believe, however, that police behavior in this regard is no different from reporting practices in other professions.

Future research may consider studying similarities and studying differences between how police report arrest encounters and how independent observers report those same arrest encounters (Garner et al., 2002).

Last, this article does not include an investigation of the correlates of police use of force in Rhode Island. There is much that we can learn from multivariate strategies that aim to evaluate the ability of a set of relevant factors such as the type of police call for service, the demographics of the participants, and other relevant variables to predict force outcomes. However, this article does offer a preliminary understanding of force by and against police by making descriptive observations. Some researchers perform descriptive studies in criminal justice, whereas others do explanatory ones (Maxfield & Babbie, 2006). Our future work involves exploring our data for characteristics associated with police decisions to use varying degrees of force against suspects in arrest situations.

Though this article has methodological limitations, it makes some major contributions to the literature on police use of force. First, previous reports in the literature have looked at single police agencies or multiple agencies from different geographical regions. The prevalence and the severity of force by police and resistance by suspects may not generalize to other police jurisdictions. In this article, we use a stratification sampling strategy to obtain a fair representation of police work in Rhode Island that has the greatest potential for police and for citizens using varying degrees of force against each other. Within the limits of sampling error, we expect that the behavior of police and suspects in nonsampled Rhode Island police jurisdictions to be proportionally similar.

Second, there is a lack of literature on use of force by and against police in Rhode Island jurisdictions. Our data give the public a preliminary understanding of the scope and the nature of police force and suspect resistance. The data add information about a single state to what researchers already know about police use of force.

Third, data from this study add to the knowledge base that McLaughlin (1992) and Klinger (1995) established regarding the use of combinations of force in single police encounters with citizens. Fourth, the article gives special attention to discussing how police translate use-of-force data into police training practices. Last, it offers a use-of-force reporting instrument that can help police agencies to calculate and to report their officers' uses of force so that agencies can assuage public fears, respond to community concerns, identify training needs, and inform police practices.

In summary, a highly publicized friendly firearm accident that involved Rhode Island police officers can influence public beliefs about ways that local officers use force. Whether real or perceived, negative beliefs can strain police–community relationships. The need to continue studying the practice of force among Rhode Island police agencies is important for transparency and for community support.

Appendix
After Incident Report Form

INSTRUCTIONS: Complete one form for each incident where force is used. This form is to be completed by the primary reporting officer. Please mark each item with a check mark, text, number, or circle as appropriate.

INCIDENT INFORMATION

Officer Name (print)_____ **Suspect** Adult ☐ Juvenile ☐

Officer Dress Uniform ☐ Plain Clothes ☐ **Residence of Suspect** This City ☐ Other ☐

Badge#_____ **Date**_____

1. Assignment (check one)	
Regular Tour ☐	Detail ☐
Overtime ☐	Off Duty ☐

2. Time of Incident (check one)	
0001-0400 ☐	1201-1600 ☐
0401-0800 ☐	1601-2000 ☐
0801-1200 ☐	2001-2400 ☐

3. Day of Incident	4. Location of Incident: Post#

5. Location of Completed Incident (check one)	
Inside	Outside
☐ Suspect's Residence	Major Street ☐
☐ Other Residence	Secondary Street/Alley ☐
☐ Club/Bar	Parking Lot ☐
☐ Restaurant	Suspect's Yard ☐
☐ Retail Store	Other Yard ☐
Other (specify)_____	Other (specify)_____

6. Initial Contact w/Suspect (check one)	7. Bystander-Behavior Towards Police (all that apply)
Dispatched ☐	Not Applicable ☐
Initiated by officer ☐	Supportive ☐
Initiated by citizen ☐	Neutral ☐
	Antagonistic/ Uncooperative ☐

8. Nature of Response (check one)	
Domestic Disturbance ☐	Suspicious Person/Veh ☐
Disturbance / Fighting ☐	Vandalism ☐
Disturbance / Other ☐	Traffic Stop ☐
Assault ☐	Serving Arrest Warrant ☐
Assault with Weapon ☐	Drug Activity ☐
Person with a Weapon ☐	Larceny ☐
Disorderly ☐	Other (specify)_____

9. Visibility at Incident Location (circle number)									
1	2	3	4	5	6	7	8	9	10
Poor			Moderate			Good			Excellent

10. Number of Persons at Incident Scene (include yourself)		
	Initial Contact	Completion
# of Officers		
# of Suspects		
# of Bystanders		

11. Bystander-Injury (all that apply)	
Not Applicable ☐	Visible injury ☐
None ☐	Transported to hospital ☐
Complaints ☐	Refused med attention ☐

SUSPECT INFORMATION

12. Suspect-Characteristics		
Sex (check one)	Age (#)	Race/Ethnicity (circle one)
Male ☐		White African American
Female ☐		Hispanic Asian
Crowd ☐		Other (specify)_____
Height/Weight	Ht. (in)	Wt. (lbs)

13. Suspect-Relationship to Bystander (all that apply)	
Not Applicable ☐	Intimate partner ☐
Unknown ☐	Family member ☐
No relationship ☐	Spouse ☐
Acquaintance/Friend ☐	

14. Suspect-Nonverbal Behavior (circle all that apply)		15. Suspect-Impairment/ Suspected Use (all that apply)
Avoid Eye Contact/Look Away		None ☐
Scanning	Conceal(ed) hands	Yes/Unknown ☐
Walk Away	F/Pointing	Drugs ☐
Unbalanced	Pacing	Alcohol ☐
Conceal Object	C/Distance	Mental disability ☐
Clench(ed) Fists		
Use Contact & Cover		
Raised Arms	None	
Reach under car seat		
Other (specify)_____		

(continued)

Appendix (continued)

16. Suspect-Weapon Use Verbal Threat, Display/Use Intent, Use (all that apply)			
None ☐ Type	Verbal Threat	Display/ Use Intent	Use
Stick/Blunt Object	☐	☐	☐
Chemical	☐	☐	☐
Knife/Edged Weapon	☐	☐	☐
Canine	☐	☐	☐
Electronic Device	☐	☐	☐
Bodily fluids/feces	☐	☐	☐
Vehicle	☐	☐	☐
Handgun	☐	☐	☐
Rifle/Shotgun	☐	☐	☐
Other (specify)	☐	☐	☐

17. Suspect-Flight (all that apply)	
None	☐
Foot	☐
Bicycle	☐
Motor Vehicle	☐

18. Suspect-Injury (all that apply)	
None	☐
Complaints	☐
Visible injury	☐
Transported to hospital	☐
Refused med. attention	☐

19. Suspect-Verbal Use (all that apply)	
Conversational	☐
Shouting/Cursing/ Argumentative	☐
Threats (to do harm)	☐
Other (specify)_____	

20. Suspect-Bodily Force Use (circle all that apply)		
None	Grab/Hld	Kick
Push	Flailing	Bite
Wres/Grd	Wres/Sta	Choke
Hand/Arm Strike		Pull Away
Other (specify)_____		

POLICE INFORMATION

21. Officer-Characteristics		
Years of Service (#)	Sex (check one) Male ☐ Female ☐	Age (#)
Race/Ethnicity (circle one) White African American Hispanic Asian Other (specify)_____		Height/Weight Ht.(in): Wt.(lbs):

22. Officer-Prior Knowledge of Suspect (all that apply)			
None	☐	Carry weapons	☐
Carry or Use Drugs	☐	Criminal record	☐
Resistive (verbal)	☐	Gang member	☐
Assaultive (physical)	☐	Other (specify)_____	

23. Officer-Purpose of Force, Used to (all that apply)			
Effect arrest	☐	Prevent escape	☐
Self defense	☐	Prevent criminal activity	☐
Defense of others	☐	Other (specify)_____	

24. Officer-Verbal Use (all that apply)		25. Officer-Pursuit (all that apply)	
Conversational	☐	None	☐
Commands	☐	Foot	☐
Threats/coerce compliance	☐	Bicycle	☐
Other (specify)		Motor vehicle	☐

26. Officer-Bodily Force Use (all that apply)			
None	☐	Kick	☐
Grab/Hold	☐	Hand/Arm strike	☐
Arm bar	☐	Wres/Grd ☐	Wres/Sta ☐
Pressure point	☐	Other (specify)_____	

27. Officer-Injury (all that apply)			
None	☐	Transported to hospital	☐
Complaints	☐	Refused med. attention	☐
Visible Injury	☐		

28. Officer-Prior Knowledge of Incident Location (check one)	
None	☐
Location known to be nonthreatening	☐
Location known to be threatening/criminal activity	☐
Other (specify)_____	

29. Officer-Approach		
"Use of Contact & Cover":	Yes ☐	No ☐

30. Officer-Restraint Use (all that apply)			
None	☐	Cuffing-Suspect Prone	☐
Cuffing-Suspect Standing	☐	Leg Cuff	☐
Cuffing-Suspect Kneeling	☐	Other (specify)_____	

31. Officer-Tool Used to Control Subject Verbal Intent, Display/Use Intent, Use (all that apply)			
None ☐ Type	Verbal Intent	Display/ Use Intent	Use
Chemical	☐	☐	☐
Baton	☐	☐	☐
Canine	☐	☐	☐
Taser	☐	☐	☐
Handgun	☐	☐	☐
Rifle/Shotgun	☐	☐	☐
Tool of Opportunity (T.O.O.) (specify)_____	☐	☐	☐

32. Circle each Effective Method of Force Used by Officer					
None	Conversational		Threats/coerce compliance		
Command	Grab/Hold	Arm bar	Pr. Point	Kick	H/A Strike
Wres/Grd	Wres/Sta	Chemical	Baton	Canine	Taser
Handgun	Rif/Shot	T.O.O.	Other (specify)		

Supervisor's Signature_____

Badge #_____ **Date**_____

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